UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

        Plaintiff

                                          Case No. **18-CR-02833-MV**

-vs-

HORACIO BENJAMIN TRUJILLO,

        Defendant.

ORDER GRANTING MOTION TO MODIFY CONDITIONS OF RELEASE

THIS MATTER is before the Court on defendant Horacio Benjamin Trujillo's opposed motion to modify conditions of release, filed on July 3, 2019. Doc. 40. Mr. Trujillo asks that paragraph 7(g) of the Order Setting Conditions of Release (Doc. 37) be modified to permit him to have supervised contact with his spouse, Terri Trujillo, at the La Pasada Halfway House for six hours per weekend. *See id.* at 1. He also requests a one-time four-hour social pass with his spouse, under supervision, to celebrate their anniversary at a local restaurant. *See id.* The government opposes Mr. Trujillo's motion. *See* Docs. 33, 42. Mr. Trujillo's supervising officer does not oppose Mr. Trujillo's motion. Having reviewed Mr. Trujillo's motion, the government's response, and the probation officer's assessment and recommendation, and having heard the argument of counsel at the hearing on August 6, 2019, the Court will GRANT the motion for the reasons stated at the hearing.

IT IS THEREFORE ORDERED that defendant Horacio Benjamin Trujillo's Opposed Motion to Modify Conditions of Release (Doc. 40) is GRANTED. Paragraph 7(g) of the Order Setting Conditions of Release (Doc. 37) is modified to permit Mr. Trujillo to have up to six

hours of supervised in-person contact with his wife, Terri Trujillo, at the La Pasada halfway house each weekend. Mr. Trujillo also is permitted to have a one-time four-hour social pass to spend with his spouse, under supervision, at a local restaurant or other establishment approved by his supervising officer. All previously imposed conditions of release as set forth in the Court's orders filed on September 4, 2018 (Doc. 12), September 28, 2018 (Doc. 17), and April 1, 2019 (Doc. 37) remain in effect.

DATED this 6th day of August, 2019.

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Laura Fashing
United States Magistrate Judge